

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHAD HOGAN,

Plaintiff,

v.

CITY OF MONTGOMERY, *et al.*,

Defendants.

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CASE NO. 2:05-CV-687-WKW

ORDER

This case is before the Court on the defendant's Offer of Judgment (Doc. # 23), filed on February 20, 2006, and docketed as a Motion for Settlement. An offer of judgment may be properly filed with a court only after it has been accepted by the adverse party, or after a judgment has been entered for purposes of assessing costs. *See* Fed. R. Civ. P. 68. There is no indication that the plaintiff in this case has accepted the defendant's Offer of Judgment, nor has a final judgment been issued in the case. The Offer of Judgment was therefore improperly filed with the Court. For these reasons, it is hereby ORDERED that this filing is STRICKEN.

DONE this the 14th day of April, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE